

#21/D  
Dmt  
626003

<b>IN THE UNITED STATES PATENT AND TRADEMARK OFFICE</b>	<b>Application Number</b>	09/481,572
	<b>Filing Date</b>	January 11, 2000
	<b>First Named Inventor</b>	SHAN et al
	<b>Group Art Unit</b>	1654
	<b>Examiner Name</b>	M. Meller
	<b>Attorney Docket Number</b>	2968-160
<b>Title of the Invention: HYPERICIN AND HYPERICIN EXTRACT: SPECIFIC T-TYPE CALCIUM CHANNEL BLOCKER</b>		

**AMENDMENT**

**RECEIVED**

Mail Stop Non-Fee Amendment  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

JUN 23 2003

TECH CENTER 1600/2900

Dear Sir:

Applicants request entry of the amendments below and reconsideration of the application.

**In the Claims:**

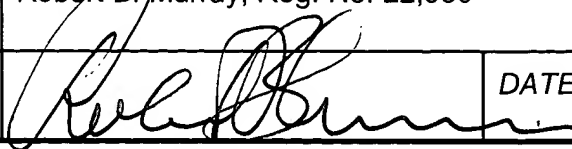
Please add the following new claim to the application:

26. The method of claim 1, wherein the health disorder is chronic heart failure.

*not enabled*

**Remarks**

In the event this paper is not considered to be timely filed, the applicants respectfully petition for an appropriate extension of time. Any fee for such an extension together with any additional fees that may be due with respect to this paper, may be charged to Counsel's Deposit Account No. 02-2135.

<b>RESPECTFULLY SUBMITTED,</b>			
<b>NAME AND REG. NUMBER</b>	Robert B. Murray, Reg. No. 22,980		
<b>SIGNATURE</b>		<b>DATE</b>	June 18, 2003
<b>ADDRESS</b>	Rothwell, Figg, Ernst & Manbeck, Suite 800, 1425 K Street, N.W. Washington D.C. 20005 Telephone 202/783-6040, Telefax 202/783-6031		



CPA/1654  
#12  
624

## CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL

Submit an original, and a duplicate for fee processing.

CHECK BOX, IF

APPLICABLE

Only for Continuation or Divisional applications under 37 CFR 1.53(d)

[ ] DUPLICATE

Address to:

Assistant Commissioner for Patents  
Box CPA  
Washington, D.C. 20231

Attorney Docket No.  
of Prior Application

2968-0160

First Named Inventor

SHAN et al

Examiner Name

M. Meller

Group Art Unit

1654

Express Mail Label No.

RECEIVED

JUN 23 2003

TECH CENTER 1600/2

This is a request for a continuation application under 37 CFR 1.53(d) (continued prosecution application (CPA)) of prior application number 09/481,572 filed on January 11, 2000 entitled HYPERICIN AND HYPERICIN EXTRACT: SPECIFIC T-TYPE CALCIUM CHANNEL BLOCKER.

### NOTES

**FILING QUALIFICATIONS:** The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 CFR 1.51(b) or (2) the national stage of an international application in compliance with 35 U.S.C. 371. Effective May 29, 2000, a CPA may only be filed in a utility or a plant application if the prior nonprovisional application was filed before May 29, 2000. A CPA may be filed in a design application regardless of the filing date of the prior application.

**C-I-P NOT PERMITTED:** A continuation-in-part application cannot be filed as a CPA under 37 CFR 1.53(d), but must be filed under 37 CFR 1.53(b).

**EXPRESS ABANDONMENT OF PRIOR APPLICATION:** The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 CFR 1.53(b) must be used to file a continuation, divisional or continuation-in-part of an application that is not to be abandoned.

**ACCESS TO PRIOR APPLICATION:** The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

**35 U.S.C. 120 STATEMENT:** In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 CFR 1.78(a).

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

1. ☐ Enter the unentered amendment previously filed on under 37 CFR 1.116 in the prior nonprovisional application.
2. ☒ A preliminary amendment is enclosed.
3. ☐ This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).
  - a. ☐ **DELETE** the following inventor(s) named in the prior nonprovisional application:
  - b. ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.

4. ☒ A new power of attorney for authorization of agent (PTO/SB/81) is enclosed.

5. ☐ Information Disclosure Statement (IDS) is enclosed:

a. ☐ PTO-1449

b. ☐ Copies of IDS Citations

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE (Small Entity)	(5) CALCULATIONS
	TOTAL CLAIMS	6 - 20 =		X \$ 9.00 =	\$
	INDEPENDENT CLAIMS	1 - 3 =		X \$ 42.00 =	
	MULTIPLE DEPENDENT CLAIM (if applicable)			+ \$140.00 =	
				BASIC FEE	375.00
				TOTAL =	\$ 375.00

6. Small entity status:

6. ☒ Small entity status: Applicant claims small entity status. See 37 CFR 1.27

7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to  
Deposit Account No. 02-2135.

a. ☐ Fees required under 37 CFR 1.16.

b. ☐ Fees required under 37 CFR 1.17.

c. ☐ Fees required under 37 CFR 1.18

8. ☒ A check in the amount of \$ 375 is enclosed.

9. ☐ Payment by credit card. Form PTO-2038 is enclosed.

10. ☐ Applicant requests suspension of action under 37 CFR 1.103(b) for a period of \_\_\_\_ months (not to exceed 3 months) and the fee under 37 CFR 1.17(i) enclosed.

11. ☒ New Attorney Docket Number, if desired 2968-160

12. a. ☐ Receipt for Facsimile Transmitted CPA (PTO/SB/29A)

b. ☐ Return Receipt Postcard (Should be specifically itemized, See MPEP 503)

13. ☐ Request and certification under 35 USC 122(b)(2)(B)(i) for nonpublication.

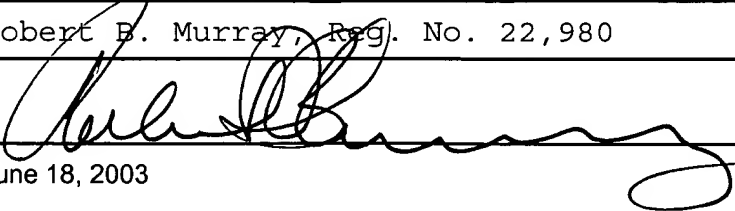
14. ☒ Other: Three Month Extension of Time, Fee Transmittal Sheet

**NOTE:** The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below.

#### 14. NEW CORRESPONDENCE ADDRESS

<input checked="" type="checkbox"/> Customer Number or Bar Code Label 6449					
Name	Robert B. Murray				
Address	Rothwell, Figg, Ernst & Manbeck Suite 800, 1425 K Street, N.W.				
City	Washington	State	D.C.	Zip Code	20005
Country	U.S.A.	Telephone	202-783-6040	Fax	202-783-6031

**15. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

NAME & REG. NUMBER	Robert B. Murray, Reg. No. 22,980
SIGNATURE	
DATE	June 18, 2003